

REMARKS

Claims 1-4, 6-22, 24-32, 34-38, and 40-43 are pending in this application. In the Office Action¹ mailed March 22, 2006, the Examiner rejected claims 1-4, 6-8, 11, 12, 15-22, 24-26, 29-32, 34-36, and 40-43 under 35 U.S.C. § 103(a) as being unpatentable over Bauer (*Bauer*; U.S. Patent 5,627,996) in view of Kyne et al. (*Kyne*; U.S. Patent 6,615,237). The Examiner rejected claims 9-10, 13-14, 27-28, and 37-38 under 35 U.S.C. § 103(a) as being unpatentable over *Bauer* in view of *Kyne* and in further view of Hagersten et al. (*Hagersten*; U.S. Patent 6,308,246).

The Examiner rejected claims 1-4, 6-8, 11-12, 15-22, 24-26, 29-32, 34-36, and 40-43 under 35 U.S.C. § 103(a) as being unpatentable over *Bauer* in view of Papierniak et al. (*Papierniak*; U.S. Patent 6,175,838). The Examiner also rejected claims 9-10, 13-14, 27-28, and 37-38 under 35 U.S.C. § 103(a) as being unpatentable over *Bauer* in view of *Papierniak* and in further view of *Hagersten*.

In view of the following remarks, Applicants respectfully traverse the rejections of claims 1-4, 6-22, 24-32, 34-38, and 40-43 under 35 U.S.C. § 103(a).

I. Rejection of claims 1-4, 6-8, 11, 12, 15-22, 24-26, 29-32, 34-36, and 40-43 under 35 U.S.C. § 103(a) as being unpatentable over *Bauer* in view of *Kyne*.

Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1-4, 6-22, 24-32, 34-38, and 40-43 because a *prima facie* case of obviousness has not been established with respect to these claims.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). M.P.E.P. § 2142, 8th Ed., Rev. 2 (May 2004), p. 2100-128.

A *prima facie* case of obviousness has not been established because, among other things, neither *Bauer* nor *Kyne*, taken alone or in combination, teaches or suggests each and every element of claim 1. Claim 1, as previously presented, is patentably distinguishable over the cited art in that it recites, *inter alia*, "substituting the expandable sequence by at least one identifier identifying the requesting node, wherein the requesting node comprises a process."

The Examiner admits that *Bauer* does not disclose this element of claim 1 (Office action at p. 3) and relies on *Kyne*, as teaching a "text string to identify a computer in a local network and retrieving a web page corresponding to a URL as the expanded sequence" (Office action at p. 4). Even assuming the Examiner's characterization of *Kyne* is correct, *Kyne* does not cure the deficiencies of the *Bauer* reference. In the passage cited by the Examiner, *Kyne* discloses that a "text string may represent the name of a server or other device on a LAN to which the user is connected" (column 7, lines 8-10). However, this does not constitute, "substituting an expandable sequence by at least one *identifier* identifying the *requesting node*," as recited by claim 1 (emphasis added). The "text string" disclosed by *Kyne* identifies a computer or device on a LAN which is to be accessed and not a "requesting node, wherein the requesting node comprises a process", as recited by claim 1 (emphasis added).

For at least the reason that the cited references fails to teach each and every element of claim 1, no *prima facie* case of obviousness has been established. The rejection under 35 U.S.C. § 103(a) is improper and should be withdrawn.

Independent claims 11, 18, 19, 29, and 40-42, although of different scope, include similar elements to claim 1. Therefore, the rejection of these claims under 35 U.S.C. § 103(a) is not supported by the art of record, for at least the reasons set forth above. Moreover, dependent claims 2-4, 6-8, 12, 15-17, 20-22, 24-26, 30-32, 34-36, and 43 are allowable for at least the reasons set forth above with regard to their respective allowable base claims.

II. Rejection of claims 9-10, 13-14, 27-28, and 37-38 under 35 U.S.C. § 103(a) as being unpatentable over *Bauer* in view of *Kyne* and in further view of *Hagersten*.

Claims 9, 10, 13-14, 27-28, and 37-38 were rejected by the Examiner as being unpatentable under 35 U.S.C. § 103(a) over *Bauer* in view of *Kyne* and in further view of *Hagersten*. As set forth above, neither *Bauer* nor *Kyne* teaches at least, "substituting the expandable sequence by at least one identifier identifying the requesting node," as recited by claim 1 and required by claims 9-10, 13-14, 27-28, and 37-38. *Hagersten* fails to cure this deficiency. That is, *Hagersten* also fails to teach or suggest at least, "substituting the expandable sequence by at least one identifier identifying the requesting node, wherein the requesting node comprises a process", as recited by claim 1 and required by claims 9-10, 13-14, 27-28, and 37-38. Therefore, no *prima facie* case of this have been established. Claims 9, 10, 13-14, 27-28, and 37-38 are thus allowable over the prior art for the reasons set forth above with respect to their independent claims.

III. Rejection of claims 1-4, 6-8, 11, 12, 15-22, 24-26, 29-32, 34-36, and 40-43 under 35 U.S.C. § 103(a) as being unpatentable over *Bauer* in view of *Papierniak*.

Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1-4, 6-22, 24-32, 34-38, and 40-43 under 35 U.S.C. § 103(a) because a *prima facie* case of obviousness has not been established with respect to these claims. A *prima facie* case of obviousness has not been established because, among other things, neither *Bauer* nor *Papierniak*, taken alone or in combination, teaches or suggests each and every element of claim 1.

As set forth above, *Bauer* fails to teach a combination including, for example, “substituting the expandable sequence by at least one identifier identifying the requesting node, wherein the requesting node comprises a process.” *Papierniak* fails to cure this deficiency. The Examiner cites *Papierniak* as disclosing “a get request contains the IP address identifying the user computer on which the browser is being run and a URL and retrieving record based on a URL or a path” (Office action at p. 18). According to the Examiner, *Papierniak* discloses “identifying a user computer on which a browser is being run” (column 4, lines 34-35). The “get request” cited by *Papierniak* includes an “IP address” and a “URL”. *Papierniak* discloses that after “receiving the Get request, the server retrieves the web page file according to the URL in the Get request and sends the web file to the user computer identified by the IP address in the Get request” (column 4, lines 37-41).

While *Papierniak* discloses “identifying a user computer”, it does not teach “substituting the expandable sequence by at least one identifier identifying the requesting node” (emphasis added), as recited by claim 1. Therefore, *Papierniak* fails

to cure the deficiencies of *Bauer*, and a *prima facie* case of obviousness has not been established with respect to claim 1.

Independent claims 11, 18, 19, 29, and 40-42, although of different scope, include similar elements to claim 1. Therefore, the rejection of these claims under 35 U.S.C. § 103(a) is not supported by the art of record, for at least the reasons set forth above. Accordingly, dependent claims 2-4, 6-8, 12, 15-17, 20-22, 24-26, 30-32, 34-36, and 43 are allowable for at least the reasons set forth above with regard to their respective allowable base claims.

IV. Rejection of claims 9-10, 13-14, 27-28, and 37-38 under 35 U.S.C. § 103(a) as being unpatentable over *Bauer* in view of *Papierniak* and in further view of *Hagersten*.

Claims 9, 10, 13-14, 27-28, and 37-38 were rejected by the Examiner as being unpatentable under 35 U.S.C. § 103(a) over *Bauer* in view of *Papierniak* and in further view of *Hagersten*. Claims 9, 10, 13-14, 27-28, and 37-38 depend from claim 1 and thus include all the elements and limitations thereof. As set forth above, neither *Bauer* nor *Papierniak* teaches at least, "substituting the expandable sequence by at least one identifier identifying the requesting node," as recited in claim 1 and required by claims 9, 10, 13-14, 27-28, and 37-38. *Hagersten* fails to cure this deficiency. That is, *Hagersten* also fails to teach or suggest at least, "substituting the expandable sequence by at least one identifier identifying the requesting node, wherein the requesting node comprises a process", as recited by claim 1. Since neither *Bauer* nor *Hagersten*, alone or in combination, teach or suggest each and every element required by claims 9, 10, 13-14, 27-28, and 37-38, no *prima facie* case of obviousness has been established. Therefore, the rejection of claims 9, 10, 13-14, 27-28, and 37-38 under 35 U.S.C. § 103(a) should

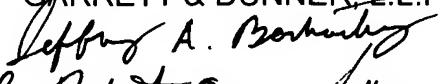
V. Conclusion

In view of the foregoing remarks, Applicants respectfully request reconsideration and reexamination of the application, and the timely allowance of all pending claims.

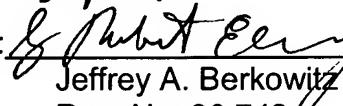
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: 
Jeffrey A. Berkowitz
Reg. No. 36,743

Dated: May 19, 2006

By: 
Jeffrey A. Berkowitz
Reg. No. 36,743